

## TEACHERS' RETIREMENT BOARD

### REGULAR MEETING

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SUBJECT: Election of the Teachers' Retirement Board  
Adoption of Notice of Election

ITEM NUMBER: 11b

ATTACHMENT(S): 1

ACTION: X

MEETING DATE: March 6, 2003

INFORMATION: \_\_\_\_\_

PRESENTER: Ed Derman

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### SUMMARY

Chapter 1049, Statutes of 2002 (SB 1580—Burton). Chapter 1049 requires the Teachers' Retirement Board (Board) to adopt regulations to conduct the elections of the three members of the Board currently appointed by the Governor to represent active members and participants of California State Teachers' Retirement System (CalSTRS).

Although the bill is silent as to the timing or conduct of the elections, because the new Board composition takes effect on January 1, 2004, the elections must take place no later than the latter part of 2003, after the regulations are finalized.

CalSTRS staff is in the process of obtaining a vendor to conduct the election, specifically to print, distribute, receive and count ballots. Many pension plans, including the California Public Employees' Retirement System (CalPERS), use private firms to perform these functions. This enables the pension staff to focus on its core duties. However, the bid and contracting process takes a number of months and requires staff to complete the development of material for the candidate nomination packets, and collect and process nominating and other materials from candidates before a vendor is secured.

Regulations provide for CalSTRS to issue Notice of Elections information to members announcing the nomination and election period, information on eligibility and the nominations process, as well as guidelines on Statements of Qualifications. CalSTRS will post the Notice of Elections adopted by the Board on the CalSTRS Web site, include it in the CalSTRS publication mailed to active members and participants, *The Bulletin*, and distribute the Notice to employers for further distribution.

Specifically, the Notice of Elections requires candidates to collect 250 signatures to qualify as a candidate. Staff surveyed eight retirement systems from around the country to determine a reasonable signature requirement that ensures a potential candidate has a sufficient base of support, but is not consumed by the task of collecting signatures. The average number of signatures required to qualify for the ballot was 215, with a low of 25 for the Minnesota Teachers' Retirement Board and a high of 500 for both the Illinois Teachers' Retirement System

and Ohio Public Employees' Retirement System. As a matter of reference, CalPERS currently requires 250 signatures to qualify for the ballot, a number which is determined by the Board of Administration every time it adopts a Notice of Election. This figure seems appropriate given the requirements of other retirement systems and the size of CalSTRS' population of active members and participants.

The attached Draft Notice of Elections submitted for the Board's review and approval may be changed in response to any changes made to the Proposed Regulations as a result of written comments submitted to the System after the distribution of this Agenda.

## DRAFT NOTICE OF ELECTION

### Active Member Elections to the Teachers' Retirement Board

Active members of the Defined Benefit (DB) Program and active participants of the Cash Balance (CB) Benefit Program of the California State Teachers' Retirement System (CalSTRS) are eligible to elect three representatives to the Teachers' Retirement Board. Two of these elected members of the Board will represent active DB members and active CB Benefit Program participants employed in K-12 school districts and County Offices of Education, and one member will represent active DB members and active CB Benefit Program participants employed by community college districts. A plurality of votes cast will determine the winner of each election contest, with the term of office for each elected Board member beginning January 1, 2004 and ending January 1, 2008.

#### PROCEDURES FOR BECOMING A CANDIDATE

**Eligibility**— A member of the DB Program or participant of the CB Benefit Program shall qualify for nomination as a candidate if he or she meets the eligibility criteria and submits properly completed forms by the deadlines specified below. An eligible candidate may be nominated as a candidate for only one of the three elected positions on the Board.

Eligible candidates for the first K-12 position on the Board must be active members of the DB Program or active participants of the CB Benefit Program employed by a K-12 school district or County Office of Education.

Eligible candidates for the second K-12 position on the Board must be active members of the DB Program or active participants of the CB Benefit Program employed by a K-12 school district or County Office of Education **in a position other than administrator**.

Eligible candidates for the community college position on the Board must be active members of the DB Program or active participants of the CB Benefit Program employed by a community college district.

**Nomination Packets**— Nomination shall be on the petition form provided by the System, signed by active members and participants. The CalSTRS Election Coordinator will provide candidate nomination packets containing a petition form, nomination certification form, and the election rules and procedures to all active members and participants who request a packet. Candidate Nomination Packets are also available on the System's Web site at: [www.calstrs.ca.gov](http://www.calstrs.ca.gov).

**Nomination Petition Form** – A valid Petition Form must contain original signatures of at least two hundred and fifty (250) active members of the DB Program or active participants of the CB Benefit Program who are eligible to vote in the election for which the candidate is seeking election. The legible printed name, year of birth, and last four numbers of the Social Security number must accompany the signature of each active member or participant signing the petition in order to verify membership against the CalSTRS database. A member or participant may sign more than one nomination petition form.

**Nomination Acceptance Form**— Each candidate must **certify** on the nomination certification form provided by the System that he or she accepts the nomination, consents to serve if elected, agrees to comply with the rules and regulations governing the conduct of Board member elections and abides by a drawing of lots by the Election Coordinator in case of a tied vote.

Candidates must return the original Petition Form and Nomination Certification Form to the CalSTRS Election Coordinator. **Only those Petition Forms and Nomination Certification Forms received in the CalSTRS headquarters by 5:00 p.m. on May 1, 2003 will be accepted.** Completed Petition Forms and Nomination Certification Forms transmitted via facsimile shall be deemed invalid if the original completed forms are not received in the CalSTRS headquarters within seven calendar days of their transmittal via facsimile.

**Candidate Statement Form**— As part of a candidate statement included in ballot materials sent to eligible voters, each candidate shall provide the following information: Name; Job Title; Employer; status as either an active member of the DB Program or active participant of the CB Benefit Program and years of service as a member or participant; a list of no more than five previous positions held; and a list of no more than five organizations to which the candidate belongs, including any positions held in those organizations. In addition, as part of the candidate statement, a candidate may provide a list of no more than ten endorsements by individuals or entities and answers to three questions specified in regulation which shall, in total, consist of no more than 150 words. **The Election Coordinator must receive the candidate statement by the deadline indicated in the notification letter sent to qualified candidates.** Candidate statements may not be changed or withdrawn except by the Election Coordinator, who may remove any portion of the candidate's statement the candidate is unable to verify.

## **VOTER ELIGIBILITY**

Eligible voters in the elections are members of the DB Program and participants of the CB Benefit Program employed by a K-12 school district, county office of education, or community college district during the 2002-03 school year, between July 1, 2002 and June 30, 2003. Current law precludes a participant in the Cash Balance Benefit Program from voting in the election for the K-12 seat in which an administrator cannot serve, although pending legislation would permit participants to vote in such elections. The Election Coordinator will mail ballots and candidate statements to each eligible voter for whom CalSTRS has a valid mailing address recorded. The Election Coordinator will provide ballots and candidate statements upon request to eligible voters who do not have a valid mailing address recorded with CalSTRS.

## **ELECTION SCHEDULE**

<b>DEADLINE</b>	<b>ACTION</b>
May 1, 2003	Deadline for the CalSTRS receipt of the Nomination Petitions.
July 1, 2003	Deadline for the CalSTRS receipt of the Nomination Acceptance/Ballot Designation and Candidate Statement forms.
August 1, 2003	Random drawing for the order of candidate names on the ballot.
October 1, 2003	Ballots mailed directly to eligible voters. Any telephone and Internet voting services activated and available for eligible voters to cast their votes.
December 1, 2003	Voted ballots must be postmarked or received by CalSTRS in the postage-paid envelope on or before this date to be counted. Telephone and internet voting services deactivated.
December 10, 2003	On the morning of December 10, 2003, at the location designated by CalSTRS, the sealed, signed envelopes containing the voted ballots will be opened and the ballots removed. Thereafter, the ballots will be tabulated. On December 18, 2003, the Chief Executive Officer will certify the candidates receiving a plurality of votes as having been elected.
January 1, 2004	The newly elected Board members will be seated on the Teachers' Retirement Board in accordance with Education Code Section 22200.

For answers to questions, general information, a nomination petition form or the CalSTRS Board election regulations, contact the Elections Coordinator through the automated phone system at 1-800-228-5453 or write to the Elections Coordinator at the address below.

Elections Coordinator  
California State Teachers' Retirement System  
P.O. Box 15275, MS-37  
Sacramento, CA 95851-0275